UNITED
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General Assembly

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A/47/1013
9 September 1993
ENGLISH
ORIGINAL: SPANISH

Forty-seventh session
Agenda item 120 (b)

FINANCING OF THE ACTIVITIES ARISING FROM SECURITY COUNCIL RESOLUTION 687 (1991): OTHER ACTIVITIES

Report of the Fifth Committee

Rapporteur: Mr. Jorge OSELLA (Argentina)

1. At its 3rd plenary meeting, on 18 September 1992, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-seventh session, and to allocate to the Fifth Committee, the item entitled:

> "Financing of the activities arising from Security Council resolution 687 (1991):
>
> "(a) United Nations Iraq-Kuwait Observation Mission;
>
> "(b) Other activities."

2. At its 74th meeting, on 3 September 1993, on the proposal of the Chairman, the Fifth Committee decided, without objection, to recommend to the General Assembly that it defer to its forty-eighth session consideration of agenda item 120 (b).

RECOMMENDATION OF THE FIFTH COMMITTEE

3. The Fifth Committee recommends to the General Assembly that it decide to defer consideration of the item entitled "Financing of the activities arising from Security Council resolution 687 (1991): other activities", and to include the item in the agenda of the forty-eighth session.

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Forty-seventh session
Agenda item 155

FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Report of the Fifth Committee

Rapporteur: Mr. Jorge OSELLA (Argentina)

I. INTRODUCTION

1. At its 104th plenary meeting, on 28 May 1993, the General Assembly, on the proposal of the Secretary-General (A/47/955), decided to include in the agenda of its forty-seventh session an item entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered this item at its 70th, 72nd and 76th meetings, on 25 and 27 August, and 10 September 1993.

3. For its consideration, the Committee had before it the following documents:

(a) Report of the Advisory Committee on Administrative and Budgetary Questions (A/47/980);

(b) Note by the Secretariat (A/47/1002).

4. The comments and observations made in the course of the Committee's discussion of the item and the replies to queries raised are reflected in the relevant summary records (A/C.5/47/SR.70, 72 and 76).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/47/L.49

5. At the 76th meeting, on 10 September 1993, the representative of Argentina, following informal consultations, introduced draft resolution A/C.5/47/L.49, entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

6. At the same meeting, following a statement by the representative of France, the Committee adopted draft resolution A/C.5/47/L.49 without a vote (see para. 8).

7. The representatives of the United Kingdom of Great Britain and Northern Ireland, Colombia, Japan, Brazil, Pakistan, France, Cuba, India, Uganda and Malaysia spoke in explanation of position (see A/C.5/47/SR.76).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Having considered Security Council resolutions 808 (1993) of 22 February 1993, on the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, and 827 (1993) of 25 May 1993, by which it adopted the Statute of the International Tribunal,

Having also considered the note by the Secretariat on the International Tribunal 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Taking into account the views expressed by Member States in the Fifth Committee,

1. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions; 2/

2. Reaffirms, in the context of Security Council resolution 827 (1993) and with respect to the financing of the International Tribunal, the role of the General Assembly as set out in Article 17 of the Charter of the United Nations, as the organ to consider and approve the budget of the Organization, as well as the apportionment of its expenses among Member States;

1/ A/47/1002.

2/ A/47/980.

3. Expresses concern that advice given to the Security Council by the Secretariat on the nature of the financing of the International Tribunal did not respect the role of the General Assembly as set out in Article 17 of the Charter;

4. Requests the President of the General Assembly to bring to the attention of the President of the Security Council the contents of the present resolution;

5. Endorses the recommendation of the Advisory Committee on Administrative and Budgetary Questions to authorize the Secretary-General to enter into commitments in an amount not exceeding 500,000 United States dollars to provide for the immediate and urgent requirements of the International Tribunal for its initial activities;

6. Requests the Secretary-General to present, during the forty-eighth session of the General Assembly and before 31 December 1993, detailed cost estimates for the International Tribunal, separate from the proposed regular budget for the biennium 1994-1995, to be financed by assessed contributions and, pending a final decision on the manner of the apportionment of the expenses of the International Tribunal, to finance its activities through a separate account outside the regular budget;

7. Invites Member States and other interested parties to make voluntary contributions to the International Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General;

8. Decides to include in the agenda of its forty-eighth session the item entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

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FINANCING OF THE UNITED NATIONS PEACE-KEEPING FORCE IN CYPRUS

Report of the Fifth Committee

Rapporteur: Mr. Jorge OSELLA (Argentina)

I. INTRODUCTION

1. At its 106th plenary meeting, on 22 June 1993, the General Assembly, on the proposal of the Secretary-General (A/47/966), decided to include in the agenda of its forty-seventh session an item entitled "Financing of the United Nations Peace-keeping Force in Cyprus" and to allocate it to the Fifth Committee.

2. At its 73rd and 76th meetings, on 31 August and 10 September 1993, the Fifth Committee considered the report of the Secretary-General on the financing of the United Nations Peace-keeping Force in Cyprus (A/47/1001) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/47/1004).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/47/L.45

3. At the 76th meeting, on 10 September 1993, the representative of Hungary introduced draft resolution A/C.5/47/L.45.

4. At the same meeting, the Committee adopted draft resolution A/C.5/47/L.45 without a vote (see para. 6).

5. Statements and observations made in the course of the Committee's consideration of this item are reflected in the relevant summary records (A/C.5/47/SR.73 and 76).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Peace-keeping Force in Cyprus

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Peace-keeping Force in Cyprus 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 2/

Bearing in mind Security Council resolution 186 (1964) of 4 March 1964, by which the Council established the United Nations Peace-keeping Force in Cyprus, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 839 (1993) of 11 June 1993,

Recognizing that, in order to meet the expenditures caused by the United Nations Peace-keeping Force in Cyprus with effect from 16 June 1993, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Force by certain Governments,

Noting that voluntary contributions were insufficient to cover all of the costs of the operation, including those incurred by troop-contributing Governments prior to 15 June 1993, and regretting the absence of an adequate response to the various appeals for voluntary contributions, including that contained in section IV of General Assembly resolution 47/218 of 23 December 1992,

Appreciating the continued efforts of Governments providing troops to the United Nations Peace-keeping Force in Cyprus,

Mindful of the fact that it is essential to provide the United Nations Peace-keeping Force in Cyprus with the necessary financial resources to enable it to fulfil its mandate,

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1/ A/47/1001.

2/ A/47/1004.

1. Reaffirms, in the context of paragraph 4 of Security Council resolution 831 (1993) of 27 May 1993, in which the Council addressed the issue of the financing of the United Nations Peace-Keeping Force in Cyprus, the role of the General Assembly, as set out in Article 17 of the Charter of the United Nations, as the organ to consider and approve the budget of the Organization, as well as the apportionment of its expenses among Member States;

2. Expresses concern that advice given to the Security Council by the Secretariat on the nature of the financing of the United Nations Peace-keeping Force in Cyprus did not respect the role of the General Assembly as set out in Article 17 of the Charter;

3. Requests the President of the General Assembly to bring to the attention of the President of the Security Council the contents of the present resolution;

4. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions; 2/

5. Requests the Secretary-General to take all necessary action in accordance, inter alia, with the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions, to ensure that the United Nations Peace-keeping Force in Cyprus is administered with a maximum of efficiency and economy, to improve management and to include in the report on this item to the General Assembly information on the steps taken in this regard;

6. Urges all Member States to make every possible effort to ensure payment of their assessed contributions to the United Nations Peace-keeping Force in Cyprus promptly and in full;

7. Decides that the costs of the United Nations Peace-keeping Force in Cyprus for the period beginning 16 June 1993 that are not covered by voluntary contributions should be treated as expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations;

8. Decides also to appropriate the amount of 8,771,000 United States dollars gross (8,443,000 dollars net) for the period from 16 June to 15 December 1993, and, accordingly, requests the Secretary-General to establish a special account for the United Nations Peace-keeping Force in Cyprus in accordance with paragraph 29 of his report; 1/

9. Decides further, as an ad hoc arrangement, to apportion the amount of 8,771,000 dollars gross (8,443,000 dollars net) for the above-mentioned period among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 of 20 December 1991 and 47/218 of 23 December 1992, and taking into account the scale of assessments set out in resolution 46/221 A of 20 December 1991 and decision 47/456 of 23 December 1992;

10. Decides that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 9 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 328,000 dollars for the period from 16 June to 15 December 1993 approved for the United Nations Peace-keeping Force in Cyprus;

11. Decides to establish the contributions of Andorra, the Czech Republic, Eritrea, the former Yugoslav Republic of Macedonia, Monaco and Slovakia to the United Nations Peace-keeping Force in Cyprus in accordance with the rates of assessment to be adopted by the General Assembly for these Member States at its forty-eighth session;

12. Invites the new Member States listed in paragraph 11 above to make advance payments against their assessed contributions, to be determined;

13. Invites voluntary contributions to the United Nations Peace-keeping Force in Cyprus in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

14. Decides to maintain as separate the account established prior to 16 June 1993 for the United Nations Peace-keeping Force in Cyprus, invites Member States to make voluntary contributions to that account, and, in this regard, requests the Secretary-General to intensify his efforts in appealing for voluntary contributions to this account;

15. Requests the Secretary-General, taking into account the voluntary nature of the financing of the United Nations Peace-keeping Force in Cyprus prior to 16 June 1993, to report, no later than 31 January 1994, on the standing of the account referred to in paragraph 14 of the present resolution;

16. Decides to include in the agenda of its forty-eighth session the item entitled "Financing of the United Nations Peace-keeping Force in Cyprus".